

Minutes
Jefferson County Board of Zoning Appeals

- 1 Meeting Date: November 14, 2019
2 Meeting Location: Charles Town Library Conference Room
3 200 East Washington Street, Charles Town, West Virginia
4 Board Members Present: Tyler Quynn, Chair; Matthew McKinney; Deirdre Catterton and
5 Leeds Corbin
6 Members absent: Jeffrey Bannon, Vice Chair (with notice)
7 Staff members present: Alexandra Beaulieu, Zoning Administrator and Jennilee Hartman,
8 Zoning Clerk.
9 Staff members absent: Nathan Cochran, Assistant Prosecuting Attorney (with notice)

10 All requests are pursuant to the Jefferson County Zoning and Land Development Ordinance.

11 Mr. Corbin moved to call the meeting to order at 2:00 pm. Mr. Quynn called for a vote, which
12 carried unanimously.

13 **Approval of Minutes: October 24, 2019**

14 Mr. McKinney moved to approve the minutes. Ms. Beaulieu noted a correction on page 4, line 36,
15 to change Mr. Quynn's name to Mr. Bannon's name. Mr. Corbin moved to accept the amendment
16 to the minutes. Mr. Quynn called for a vote, which carried unanimously.

17 **Public Hearing – Administer Oath**

18 Ms. Hartman swore in members of the public who indicated they would be providing testimony.

19 ITEM #1 FILE #: 19-32-ZV

20 Request: Variance from Section 4.11A.2, 4.11E and Appendix B to reduce the landscape
21 buffer from 10' to 0' on the southern boundary of proposed Lot 1 and to retain an
22 unscreened landscape buffer on the northern boundary of proposed Lot 2. The
23 applicant is proposing to install a 6' privacy fence between proposed Lots 1 and 2
24 in lieu of the required buffer.

25 Owner: Seneca Crossing LLC

26 Parcel Info: Vacant parcel approx. 530' West of the Shepherd University campus entrance
27 located on Martinsburg Pike, Shepherdstown WV
28 Parcel ID: 09000800500000; Size: 4.5 ac; Zone: Residential-Light Industrial-
29 Commercial

30 Mr. Paul Raco, P.J. Raco Consulting, LLC, representing the request on behalf of the owner, was
31 present to address the Board. Ms. Beaulieu provided an overview of her staff report to the Board.
32 Mr. Raco explained the nature of the request stating that the applicant was proposing to install a six
33 (6) foot privacy fence on proposed Lot 1 and to retain a 10' unscreened buffer along proposed Lot 2.
34 Mr. Raco noted that the 6' fence would meet the intent of the landscaping buffer between two
35 commercial land uses. Mr. Raco confirmed that the owner of Lot 1 would be responsible for the
36 maintenance of the fence. Mr. Quynn opened the public hearing. There was no public comment.
37 Mr. Quynn closed the public hearing.

38 Mr. McKinney moved to approve the variance as requested. Mr. Quynn called for a vote, which
39 carried unanimously.

40 ITEM #2 FILE #: 19-33-ZV

41 Request: Variance from Section 5.4(b) to reduce the front setback from 25' to 20'; the side
42 setback from 12' to 10'; and, the rear setback from 20' to 15'.

- 1 Parcel Info: Beallair Homes LLC
2 Unplatted section of Beallair Subdivision (Phase 3A)
3 Parcel ID: 04010ARESA0000; Zoning District: Residential Growth

4 Ms. Beaulieu noted that this item was postponed until the December 12, 2019 meeting.

5 **Zoning Administrator Report**

- 6 a. Monthly Zoning Certificate Activity Report. The Report was included in the mailed packet.

7 Ms. Beaulieu informed the Board that at their 10/31/19 meeting the County Commission
8 requested additional edits to ZTA19-01 and forwarded it back to the Planning Commission
9 for further review. At their 11/12/19 meeting, the Planning Commission accepted the
10 County Commission's recommended revisions and made additional edits. Ms. Beaulieu
11 noted that the revised text will be on the 11/21/19 County Commission's meeting for review
12 and possible action. Ms. Beaulieu informed the Board that per their request, Mr. Goodwin
13 would be able to attend their December or January meeting to provide an overview of the
14 purpose of a site plan.

- 15 b. Approval of the 2020 Board of Zoning Appeals Meeting Schedule

16 Ms. Beaulieu presented the Draft schedule noting that should a conflict arise between the
17 County Commission 2020 Holiday schedule and the Board's schedule than a revised
18 schedule will be brought before the Board.

19 Mr. Corbin moved to approve the 2020 Board of Zoning Appeals Meeting Schedule.
20 Mr. Quynn called for a vote, which carried unanimously.

21 Ms. Beaulieu informed the Board that their next meeting would be December 12, 2019.

22 **Legal Update**

- 23 a. Possible executive session on the following pending lawsuits. None.

- 24 b. Discussion with possible deliberative session and sign of draft Findings/Decisions

25 Ms. Beaulieu noted that due to a clerical error, the September meeting items were listed on
26 the Agenda as opposed to the October meeting items. Ms. Beaulieu stated that the October
27 meeting items will be placed on the November agenda for action on the required Findings.

28 Ms. Catterton moved to adjourn the meeting at 2:14 pm, which carried unanimously.